

GAU 1656

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**BOX NON-FEE AMENDMENT**

Assistant Commissioner for Patents

Washington, D.C. 20231

On

Nov. 7, 2000  
TOWNSEND and TOWNSEND and CREW LLP

Rosemarie L. Celli

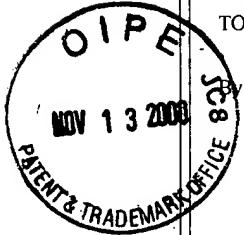
PATENT  
Attorney Docket No.: 018547-018570178  
Client Reference No. 1306.7

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Gingeras et al.

Application No.: 09/285,306

Filed: April 2, 2000

For: MYCOBACTERIAL *rpoB*  
SEQUENCES

Examiner: J. Siew

Art Unit: 1656

TRANSMITTAL LETTER

**BOX NON-FEE AMENDMENT**

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

Pursuant to the Office Action dated October 19, 2000, enclosed are the following to be made of record in the above-identified application:

- 1) Preliminary Amendment (5 pages);
- 2) Marked Up Claims Under 37 CFR § 1.121(c)(1)(iii) (4 pages); and,
- 2) Postcard

The Commissioner is hereby authorized to charge any fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430.

Respectfully submitted,

Rosemarie L. Celli

Rosemarie L. Celli  
Reg. No. 42,397

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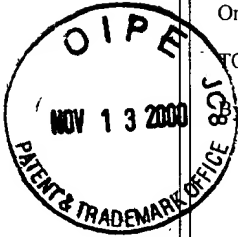
Assistant Commissioner for Patents  
Washington, D.C. 20231

PATENT  
Attorney Docket No.: 018547-018570US  
Client Reference No.: 3006.7

On Nov. 7, 2000

TOWNSEND and TOWNSEND and CREW LLP

By Rosemarie L. Celli



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Gingeras et al.

Application No.: 09/285,306

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PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Prior to examination of the above-referenced application, please enter the following amendments and remarks.

IN THE CLAIMS:

Please amend the claims as follows.

Sub-D3  
1. (Amended) A nucleic acid comprising at least 50 contiguous bases from an *rpoB* sequence designated as any of the SEQ ID NOS: 1-10.

2. (Amended) The nucleic acid of claim 1 comprising a complete *rpoB* sequence designated as any of the SEQ ID NOS: 1-10.